

## INITIATIVE 252

I, Ralph Munro, Secretary of State of the State of Washington and custodian of its seal, hereby certify that, according to the records on file in my office, the attached copy of Initiative Measure No. 252 to the Legislature is a true and correct copy as it was received by this office.

1       AN ACT Relating to limiting the growth of government revenue by  
2 requiring any increases in taxes and fees by local governments receive  
3 voter approval before taking effect and restoring taxes and fees at  
4 January 2000 levels unless voter approved; adding a new section to  
5 chapter 84.55 RCW; creating new sections; and providing an effective  
6 date.

7 BE IT ENACTED BY THE PEOPLE OF THE STATE OF WASHINGTON:

8       **LIMITING THE GROWTH OF GOVERNMENT REVENUE BY REQUIRING TAX AND FEE**  
9       **INCREASES BY LOCAL GOVERNMENTS RECEIVE VOTER APPROVAL AS CONDITION**  
10       **OF INCREASE AND RESTORING TAXES AND FEES TO JANUARY 2000 LEVELS**  
11                       **UNLESS VOTER APPROVED**

12       NEW SECTION.   **Sec. 1.** A new section is added to chapter 84.55 RCW  
13 to read as follows:

14       (1) Taxes and fees imposed by local government are immediately set  
15 and restored to the levels in effect on January 1, 2000, unless and  
16 until any increases have been approved by vote of the people since that  
17 date.

1       (2) In addition to any other requirements of law, any tax or fee  
2 increase imposed by any local government must receive voter approval  
3 before taking effect.

4       (3) For the purposes of this act, "local government" includes, but  
5 is not necessarily limited to, any city, county, port authority,  
6 special district, and other political subdivision of the state.

7       (4) For the purposes of this act, "local government" does not  
8 include the state itself and all its departments and agencies.

9       (5) For the purposes of this act, "voter approval" means a vote of  
10 voters on each individual tax or fee increase in the jurisdiction  
11 imposing the tax or fee increase.

12       (6) For the purposes of this act, "tax or fee" includes, but is not  
13 necessarily limited to, sales and use taxes; property taxes; business  
14 and occupation taxes; utility taxes; fuel taxes; impact fees; license  
15 fees; permit fees; and any other excise tax, fee, or governmental  
16 charge of a similar nature in which government acts in a governmental  
17 capacity.

18       (7) For the purposes of this act, "tax or fee" does not mean  
19 amounts charged for specific goods and services, proprietary or  
20 commercial charges, and special assessments, such as local improvement  
21 districts. "Tax or fee" does not include higher education tuition;  
22 toll, transit, and ferry fares; unemployment insurance premiums; water,  
23 sewer, and other utility rates; civil and criminal fines and other  
24 charges collected in cases of restitution or violation of law or  
25 contract; and other governmental charges in which government acts in a  
26 proprietary capacity.

27       (8) For the purposes of this act, "tax or fee increase" includes,  
28 but is not necessarily limited to, a new tax or fee, a tax or fee rate  
29 increase, an expansion in the legal definition of a tax or fee base,  
30 and an extension of an expiring tax or fee, or an increase in property  
31 tax levy rates.

32       (9) This section does not apply to any specific emergency measure  
33 for an individual tax or fee increase authorized by vote of two-thirds  
34 of the members of the taxing authority adopting the tax or fee increase  
35 and expiring not later than twelve months from the effective date of  
36 the emergency act.

37       (10) If, for any reason, a court rules that a tax or fee increase  
38 cannot be conditioned upon receiving approval by a public vote, as  
39 provided in subsection (2) of this section, local governments shall

1 submit individual tax or fee increases to the voters for advisory  
2 purposes.

3 **CONSTRUCTION CLAUSE**

4 NEW SECTION. **Sec. 2.** The provisions of this act are to be  
5 liberally construed to effectuate the policies and purposes of this  
6 act.

7 **SEVERABILITY CLAUSE**

8 NEW SECTION. **Sec. 3.** If any provision of this act or its  
9 application to any person or circumstance is held invalid, the  
10 remainder of the act or the application of the provision to other  
11 persons or circumstances is not affected.

12 **EFFECTIVE DATE**

13 NEW SECTION. **Sec. 4.** This act takes effect January 1, 2002.

14 **LEGISLATIVE INTENT**

15 NEW SECTION. **Sec. 5.** Through the overwhelming passage of  
16 Initiative Measure No. 695 and Initiative Measure No. 722, the people  
17 have clearly expressed their desire to have state and local governments  
18 obtain prior permission from taxpayers before adopting tax and fee  
19 increases and to limit annual property tax increases to the lesser of  
20 two percent or inflation, as well as other limitations on government  
21 revenue.

22 Elected representatives are reminded:

23 (1) All political power is vested in the people, as stated in  
24 Article I, section 1 of the Washington state Constitution;

25 (2) The first power reserved by the people is the initiative, as  
26 stated in Article II, section 1 of the Washington state Constitution;

27 (3) Elected representatives are an employee of the people, not  
28 their boss;

29 (4) Because of the clear intent of Initiative Measure No. 695 and  
30 Initiative Measure No. 722 and their overwhelming support by the  
31 people, the people expect state and local governments during any court

1 challenges to this measure or Initiative Measure No. 722 to voluntarily  
2 obtain prior permission from the voters before imposing tax and fee  
3 increases, as defined by this measure, and to voluntarily implement all  
4 provisions of Initiative Measure No. 722. Voluntarily implementing  
5 these voter-approved measures will help reestablish trust between the  
6 people and the government and ensure budgetary certainty;

7 (5) Trust must be reestablished between the government and the  
8 people in order for the people to authorize future tax and fee  
9 increases, levies, bonds, and other tax revenue measures;

10 (6) Any tax or fee increases imposed by the state and local  
11 governments without a public vote during 2000 and 2001 are likely to  
12 increase the popularity of this measure;

13 (7) Using taxpayers' dollars to fund lawsuits against Initiative  
14 Measure No. 722 are likely to increase the popularity of this measure;

15 (8) Any governmental efforts to change the initiative and  
16 referendum process will be viewed by the people as an attack on  
17 political free speech and a transparent attempt to silence the voice of  
18 the people and are likely to increase the popularity of this measure;

19 (9) Because of the time and money required to conduct an election,  
20 the people expect state and local governments to prioritize and submit  
21 only the most essential tax and fee increases to the voters and to  
22 maintain the other taxes and fees at their current level.

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